

## **HOME INSPECTORS LICENSING BOARD: BOARD PARTICIPATION BY ELECTRONIC MEANS**

Pursuant to Ind. Code § 5-14-1.5-3.6, the Home Inspectors Licensing Board (hereafter, the “Board”) adopts the following Policy regarding electronic participation by Board members during a Board meeting. This Policy was adopted by the Board at its meeting of December 11, 2012, effective January 1, 2013.

### **I. POLICY CONSIDERATIONS**

This Policy is promulgated with the intent and applied so as to:

- A. Balance ease of Board member access to and participation in orderly proceedings, especially where there are occurrences that pose impediments to physical attendance;
- B. Follow Ind. Code § 5-14-1.5-3.6, and any amendments thereto, in a manner consistent with the requirements of the Open Door Law;
- C. Aid in recruitment of Board members on a statewide basis whose ability to participate electronically in some meetings would further enhance the attainment and maintenance of balanced geographical representation; and
- D. Encourage Board members to physically attend meetings whenever possible, particularly when an adjudication is scheduled.

### **II. POLICY PROVISIONS**

- 1. At least three (3) Board members must be physically present at the designated meeting site for the Board meeting.
- 2. The Chairperson, the Vice Chairperson, or the Secretary must be physically present at the place of the meeting.
- 3. Where multiple Board members request electronic participation for a Board meeting, and there is the possibility the Board may not have the required number of Board members physically present at the Board meeting site, the Board’s Chairperson shall determine which Board members may attend the Board meeting via electronic means pursuant to this Policy. Should the Chairperson not be available, the Vice Chairperson shall determine which Board members may attend the Board meeting via electronic means pursuant to this Policy.
- 4. A Board member is required to obtain prior authorization to participate electronically under this Policy.
- 5. A Board member wishing to attend a meeting via electronic means shall notify the Board’s Chairperson and the Board Director no later than 48 hours before the scheduled start of the Board meeting.

6. A Board member participating via electronic means may do so by telephone, computer, video conferencing, or any other method of communication that allows for simultaneous communication and is capable of being recorded by members of the public present at the designated meeting site.
7. A Board member participating in a meeting via electronic means pursuant to this Policy is not required to do so in a setting that is open to the public.
8. The Chairperson, with the assistance of the Board Director, is delegated to supervise and coordinate electronic participation by Board members pursuant to this Policy.
9. Each Board member must physically attend at least one (1) Board meeting annually. Physical attendance must occur during the calendar year. A Board member is not precluded from attending via electronic means pursuant to this Policy until such Board member physically attends a Board meeting in a calendar year.
10. For a Board member appointed after the beginning of a calendar year, the newly appointed Board member must physically attend a Board meeting after such appointment before such newly appointed Board member may participate via electronic means pursuant to this Policy.
11. A Board member participating via electronic means pursuant to this Policy is considered present at the Board meeting and may vote at the Board meeting on any matter.
12. A Board member participating via electronic means may cast the deciding vote on any matter properly before the Board.
13. Where at least one (1) Board member is participating via electronic means pursuant to this Policy, all votes of the Board will be taken by roll call.
14. This Policy does not create a right for the public to observe and record an executive session of the Board conducted pursuant to I.C. § 5-14-1.5-6.1, or any other applicable law.

### **III. AMENDMENT**

This Policy shall remain in full force and effect unless amended by the Board in an open meeting.